

LAW OFFICES OF  
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September 2, 2004

VIA FACSIMILE

To: Mai  
 Deposit Accounts  
 U.S.P.T.O. Facsimile No.: (703) 872-9306

From: Sean M. McGinn Facsimile No.: (703) 761-2375

Re: January 30, 2004 Deposit Account Statement  
 U.S. Patent Application No.: 09/746,228  
 Our Ref.: NGB.050

Dear Mai:

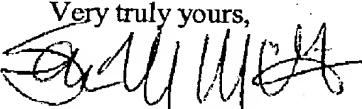
A charge of **\$310.00** was erroneously deducted for fee code 1252, Extension for Response within second month, from our Deposit Account 50-0481 on January 9, 2004.

The U.S. Patent and Trademark Office mailed a Final Office Action on August 26, 2003. On December 29, 2003 (see attached copy of USPTO dated-stamped filing receipt) we filed a Request of Continued Examination and a Petition and Fee For one-month Extension of Time Under 37 C.F.R. 1.136(a) along with check no. 10405 covering \$770.00(Request for Continued Examination) and \$110.00 (extension fee).

The deadline for filing a response with a one-month extension of time after the expiration of the Three-Month Statutory Period would have normally have been December 26, 2003. Shortly before that date, the President of the United States issued an Executive Order declaring Friday, December 26, 2003 as a Federal holiday. Therefore, the U.S.P.T.O. was closed on Friday, December 26, 2003 in observance of the Federal holiday. The next business day following Friday, December 26, 2003 (Federal holiday), was Monday, December 29, 2003, the date on which we filed the above-referenced Petition and Fee for Extension of Time. Therefore, it appears that the **\$310.00** was charged in error and should be refunded.

For your convenience, enclosed is a copy of the January 30, 2004, Monthly Statement of Deposit Account.

Thank you in advance for your consideration on this case.

Very truly yours,  
  
 Sean M. McGinn

SMM/yr  
 Enclosures

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